

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: To Be Assigned (Rita Desai in parent appl. No. 10/126,506)
Art Unit: To Be Assigned (1614 in parent appl. No. 10/126,506)
Re: Application of: R. Richard GOEHRING, et al.
Serial No.: To Be Assigned
Filed: Herewith
For: **SPIROPYRAZOLE COMPOUNDS**

INFORMATION DISCLOSURE STATEMENT

MAIL STOP:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 19, 2003

S i r:

In accordance with the provisions of 37 C.F.R. § 1.97, Applicants hereby make of record the references listed on the accompanying Form PTO-1449 (3 pages) for consideration by the Examiner in connection with the examination of the above-identified patent application. These references were provided to the U. S. Patent and Trademark Office in the Information Disclosure Statement filed March 11, 2003 for the parent application, Patent Application No. 10/126,506.

Applicants respectfully direct the Examiner's attention to reference BK listed on the accompanying Form PTO-1449 which was cited in the International Search Report issued by the PCT for the corresponding International Application PCT/US02/12376. It is noted that references JP 60-120872 (reference BI) and JP 10-330377 (reference BJ) are directed to the chemical structures shown therein and are readily understandable.

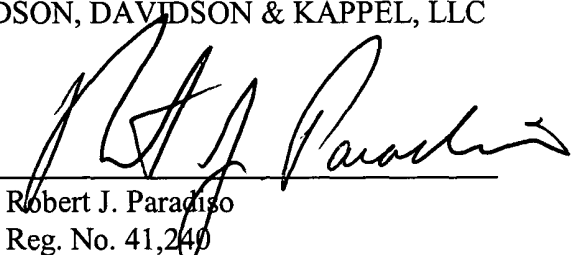
This Information Disclosure Statement is being filed under 37 C.F.R. §1.97 (b), before the mailing date of a First Office Action on the merits. Accordingly, no fee is believed to be due

for submitting this Information Disclosure Statement. In the event any fee is due, the Assistant Commissioner is authorized to charge the deficiency to our Deposit Account No. 50-0552.

Applicants respectfully request that the references cited in the accompanying Form PTO-1449 be considered and made of record. If any of the listed references are found to be missing, the Examiner is requested to contact the undersigned so that a copy may be promptly forwarded.

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: _____


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FORM PTO-1449 (REV. 7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE				ATTY. DOCKET NO.: 332.1132		SERIAL NO.: 10/126,506						
LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)						APPLICANT(S): R. Richard GOEHRING, et al.								
						FILING DATE: April 18, 2002		GROUP: 1614						
U.S. PATENT DOCUMENTS														
*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	AA	3	1	6	1	6	4	5	12/15/64	Paul Adriaan, et al.	260	293.4		
	AB	3	3	1	8	9	0	0	05/09/67	Paul Adriaan, et al.	260	294		
	AC	3	3	2	5	4	9	9	06/13/67	Poos, et al.	260	294		
	AD	4	2	1	5	1	1	9	07/29/80	Mentrup, et al.	424	248.5		
	AE	4	3	2	9	3	5	3	05/11/82	Stokbroekx, et al.	424	267		
	AF	4	4	1	0	5	2	8	10/18/83	Teranishi, et al.	424	251		
	AG	5	5	7	4	0	4	4	11/12/96	Thompson, et al.	514	316		
	AH	5	6	6	1	1	6	9	08/26/97	Di Malta, et al.	514	387		
	AI	5	7	6	0	0	5	4	06/02/98	Huff, et al.	514	302		
	AJ	5	7	6	7	1	1	8	06/16/98	Nargund, et al.	514	226.4		
	AK	6	0	6	3	7	9	6	05/16/00	Yang, et al.	514	322		
	AL	6	1	6	6	0	3	7	12/26/00	Budhu, et al.	514	326		
FOREIGN PATENT DOCUMENTS														
		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
		YES	NO											
	AM	9	7	1	0	2	1	3	03/20/97	WO (A1)	C07D	211/44	Abstract	
	AN	9	7	4	0	0	3	5	10/30/97	WO (A1)	C07D	401/04		
	AO	9	8	5	4	1	6	8	12/03/98	WO (A1)	C07D	401/04	Abstract	
	AP	9	9	2	9	6	9	6	06/17/99	WO (A1)	C07D	491/107		
	AQ	9	9	3	6	4	2	1	07/22/99	WO (A1)	C07D	401/04		
	AR	9	9	4	8	4	9	2	09/30/99	WO (A1)	A61K	31/165	Abstract	
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)														
	AS	Custers, F.G.J., et al., "Vesamicol and some of its derivatives: Questionable ligands for selectively labelling acetylcholine transporters in rat brain", <i>European Journal of Pharmacology</i> , 338: 117-183, 1997.												
EXAMINER										DATE CONSIDERED				
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.														

FORM PTO-1449 (REV. 7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.: 332.1132		SERIAL NO.: 10/126,506								
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U.S. PATENT DOCUMENTS														
*EXAMINER INITIAL	BA	DOCUMENT NUMBER						DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE		
		6	1	7	2	0	6	7	01/09/01	Ito, et al.	514	252.13		
FOREIGN PATENT DOCUMENTS														
		DOCUMENT NUMBER						DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
												YES	NO	
	BB	9	9	5	9	9	9	7	11/25/99	WO (A1)	C07D	471/10		
	BC	0	0	0	6	5	4	5	02/10/00	WO (A1)	C07D	211/52		
	BD	0	1	0	7	0	5	0	02/01/01	WO (A1)	A61K	31/445		
	BE	0	1	4	4	2	1	3	06/21/01	WO (A1)	C07D	265/18		
	BF	0	2	2	0	0	1	1	03/14/02	WO (A2)	A61K	31/347		
	BG	0	0	9	2	3	9	1	10/26/83	EP (A2)	C07D	401/06		
	BH	0	9	2	1	1	2	5	06/09/99	EP (A1)	C07D	471/10		
	BI	60	1	2	0	8	7	2	06/28/85	Japan	C07D	237/34		
	BJ	10	3	3	0	3	7	7	12/15/98	Japan	C07D	401/14		
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)														
	BK	Harrison T, et al., "High Affinity, Selective Neurokinin 2 and Neurokinin 3 Receptor Antagonists from a Common Structural Template," Bioorganic & Medicinal Chemistry Letters, Vol. 8, pp 1343-1348, especially compounds 2d and 3d on page 1345. (1998).												
	BL	Takai H, et al., Synthesis and Pharmacological Evaluation of Peperidine Derivatives with Various Heterocyclic Rings at the 4-Position, Chemical Pharmaceutical Bulletin, March 1985, Vol. 33, No. 3, pages 1105-1115, especially pages 1105 and 1106												
	BM	Database on STN CASDATA (Columbus, Ohio, USA) CA accession: no. 129:54361, Huff, et al., 'Preparation of benzisothiazolones and analogs as alpha. 1C. adrenergic receptor antagonist', 1998, 392146 CAPLUS (Abstract).												
	BN	Database on STN CASDATA (Columbus, Ohio, USA) CA accession: no. 130:95479, Sasaki, et al., 'Preparation of piperidine derivatives as cell adhesion inhibitors for inflammation inhibitors, metastasis inhibitors, etc.', 1998, 795478 CAPLUS (Abstract).												
	BO	Database on STN CADATA (Columbus, Ohio, USA) CA accession: no. 124:176079, Huff, et al., 'Preparation of heterocycles as alpha-1c adrenergic receptor antagonists', 1995, 998362 CAPLUS (Abstract).												
	BP	Database on STN CASDATA (Columbus, Ohio, USA) CA accession: no. 81:77786, Klein, et al., 'Potential analgesics. 3. 1-(4-Piperidiny)l -2-indolinones and -3, 4-dihydrocarbostyrils', Arch. Pharm. Vol. 307 (5), pp 360-365. (1974), 1974, 47786 CAPLUS (Abstract).												
	BQ	Database on STN CASDATA (Columbus, Ohio, USA) CA accession: no. 136:53656, Forbes I.T., 'A short and efficient synthesis of N-substituted indol-2-ones (oxindoles)', Tetrahedron Let., (2001), vol 42 (39), pp. 6943 - 6945, 2001:674545 CAPLUS (Abstract).												
EXAMINER									DATE CONSIDERED					
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*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	CA						
	CB						
	CC						
	CD						
	CE						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
							YES NO
	CF						
	CG						
	CH						
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	CI	Database on STN CASDATA (Columbus, Ohio, USA) CA accession: no. 135:195564, Tsushima, et al., 'Preparation of phenoxalkylamine derivatives useful as opioid delta receptor agonists', WO 2001/60796 (2001), 2001, 617978 CAPLUS (Abstract).					
	CJ	Database on STN CASDATA (Columbus, Ohio, USA) CA accession: no. 135:272955, Tsushima, et al., 'Preparation of diphenylalkylpiperidine derivatives useful as opioid delta receptor agonists', 2001:713309 CAPLUS (Abstract).					
	CK	Database on STN CASDATA (Columbus, Ohio, USA) CA accession: no. 130:223167, Budhu, et al., 'Preparation of piperidinyrpyrrolidins as modulators of chemokine receptor activity', 1999:172595 CAPLUS (Abstract).					
	CL	Database on STN CASDATA (Columbus, Ohio, USA) CA accession: no. 95:203828, Bianchi, et al., 'Compounds with antiulcer and antisecretory activity. I. 3-Aryl-benzimidazolin-2-ones and -thiones', <u>Eur. J. Med. Chem.</u> , 16(4), pp. 321-326 (1981), 1981:203828 CAPLUS (Abstract).					
	CM	Database on STN CASDATA (Columbus, Ohio, USA) CA accession: no. 73:445405, Ogata, et al., 'Organic photochemical reactions. VII. Photolysis of 1-benzyl-2-ethylbenzimidazole 3-oxide', <u>Chem. Pharm. Bull.</u> , 18(5), pp. 964-969. (1970), 1970:445405 CAPLUS (Abstract).					
	CN	Database on STN CASDATA (Columbus, Ohio, USA) CA accession: no. 95:177993, Guiliano, et al., 'Spectroscopic studies of 2-oxo-2, 3-dihydrobenzimidazole and some N-monosubstituted or N,N'-disubstituted derivatives', <u>App. Spectrosc.</u> , (1981), 35(5), pp. 486-488, 1981:577993 CAPLUS (Abstract).					
	CO	Database on STN CASDATA (Columbus, Ohio, USA) CA accession: no. 134:353434, Nakamura, et al., 'Synthesis of a regio-isomer of kealiquinone, a marine benzimidazole alkaloid', <u>J. Chem. Soc. Japan</u> , (2001), (4), pp. 429-436, 2001:112633 CAPLUS (Abstract).					
	CP	Database on STN CASDATA (Columbus, Ohio) CA accession: no. 125:58298, Suzuki, et al., 'Preparation of heterocycle-containing amides as 5-HT4 agonists', <u>PCT Int. Appl.</u> , p. 122 (WO 96/05166), 1996: 393911 CAPLUS (Abstract).					
EXAMINER				DATE CONSIDERED			
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 332.1132PCT	<div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">FOR FURTHER ACTION</div> <div>see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.</div> </div>	
International application No. PCT/US02/12376	International filing date (day/month/year) 18 APRIL 2002	(Earliest) Priority Date (day/month/year) 18 APRIL 2001
Applicant EURO-CELTIQUE, S.A.		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 2 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (See Box II).

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the drawings to be published with the abstract is Figure No. _____

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US02/12376

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : A61K 31/438 ; C07D 471/10

US CL : 514/278 ; 546/20

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 514/278 ; 546/20

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

CAS ONLINE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	HARRISON, T. et al. High Affinity, Selective Neurokinin 2 and Neurokinin 3 Receptor Antagonists from a common structural template. Bioorg. & Medicin. Chem. Lett. 1998, Vol. 8, pages 1343-1348, especially compounds 2d and 3d on page 1345.	1-31



Further documents are listed in the continuation of Box C.



See patent family annex.

* Special categories of cited documents:		"T"	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
"A"	document defining the general state of the art which is not considered to be of particular relevance	"X"	document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
"E"	earlier document published on or after the international filing date	"Y"	document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
"L"	document which may throw doubt on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	"A"	document member of the same patent family
"O"	document referring to an oral disclosure, use, exhibition or other means		
"P"	document published prior to the international filing date but later than the priority date claimed		

Date of the actual completion of the international search

11 JUNE 2002

Date of mailing of the international search report

08 JUL 2002

Name and mailing address of the ISA/US
Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20530

Authorized officer

CHANA AULAKH